



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 22, 2021

BY ECF

The Honorable Paul A. Crotty
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Courtroom 14C
New York, New York 10007

**Re: *United States v. Joshua Adam Schulte,*
S3 17 Cr. 548 (PAC)**

Dear Judge Crotty:

The Government respectfully submits this letter to provide the Court and counsel with an update regarding the issues raised by the defendant at the *Faretta* hearing on July 14, 2021. In summary, the defendant raised issues regarding his access to unclassified discovery; his access to legal research databases; his access to the Sensitive Compartmented Information Facility (“SCIF”) for review of classified discovery; and his access to printing for potential filings with the Court. The Government has discussed these matters with Bureau of Prisons (“BOP”) staff, the Classified Information Security Officer (“CISO”), and the Federal Bureau of Investigation (“FBI”), and reports the following.

With respect to the defendant’s access to unclassified discovery, the defendant has a discovery laptop that he maintains in his cell. In addition, the defendant has three discovery hard drives. Two of these hard drives have charging cables and, for that reason, are maintained by BOP staff and the defendant is given access on request. The defendant maintains the third drive, which does not have a charging cable, in his cell. We have advised defense counsel that, if we are given replacement hard drives without charging cables, the data from the other two drives can be copied onto them and also maintained by the defendant in his cell.

With respect to the defendant’s access to legal research databases, the defendant is able to schedule use of the computer in his housing unit to conduct legal research. The defendant has been able to schedule approximately an hour per day. BOP advises that the defendant’s access to the housing unit computer will be increased to approximately 10 hours per week for trial preparation, with the possibility of additional increases as required for trial preparation needs.

With respect to the defendant’s access to the SCIF, over the past week, the facility has been inspected by the CISO and FBI and is fully functional. The defendant will be produced to

the SCIF every Tuesday and Thursday beginning next week. We expect the defendant will have access to the SCIF between approximately 10:00 a.m. and 2:30 p.m. For security reasons, in the event the defendant proceeds *pro se*, standby counsel will be present with the defendant during his SCIF access and will facilitate access to certain discovery materials.

With respect to the defendant's access to printing, BOP advises that the defendant can make printing requests to the unit manager verbally or by email, and in the past has made printing requests for court filings and those requests have been accommodated. In the event the defendant proceeds *pro se*, standby counsel likely will also be able to facilitate court filings for the defendant.

Respectfully submitted,

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By: _____/s/
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cc: Defense Counsel (by ECF)